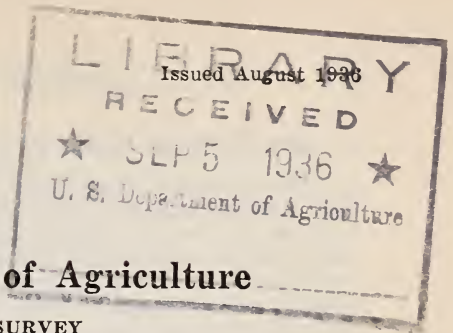


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United States Department of Agriculture

BUREAU OF BIOLOGICAL SURVEY

SERVICE AND REGULATORY ANNOUNCEMENTS

MIGRATORY BIRD TREATY ACT REGULATIONS: 1936¹

[As approved and promulgated by the President July 31, 1918, and amended Oct. 25, 1918; July 28, 1919; July 9, 1920; Mar. 3 and May 17, 1921; Mar. 8, 1922; Apr. 10 and June 11, 1923; Apr. 11 and July 2, 1924; June 22, 1925; Mar. 8, Apr. 22, and June 18, 1926; Apr. 4 and 21, and Sept. 6, 1927; Mar. 2, July 13, and Aug. 16, 1928; Apr. 23 and Dec. 31, 1929; May 23 and Aug. 25, 1930; Mar. 17, Aug. 25, and Sept. 12, 1931; July 20, 1932; Sept. 11, 1933; Aug. 20, 1934; Feb. 2, July 30, Aug. 27, and Sept. 26, 1935; and Aug. 12, 1936]

Regulation 1.—Definitions of Migratory Birds

Migratory birds, included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, are as follows:

1. Migratory game birds:

- (a) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.
- (b) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.
- (c) Rallidae, or rails, including coots, gallinules, and sora and other rails.
- (d) Limicolae, or shore birds, including avocets, curlews, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.
- (e) Columbidae, or pigeons, including doves and wild pigeons.

2. **Migratory insectivorous birds:** Cuckoos; flickers and other woodpeckers; nighthawks, or bullbats, and whip-poor-wills; swifts; hummingbirds; flycatchers; bobolinks, meadow larks, and orioles; grosbeaks, tanagers, martins and other swallows; waxwings; shrikes, vireos; warblers, pipits; catbirds and brown thrashers; wrens; brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers; robins and other thrushes; and all other perching birds which feed entirely or chiefly on insects.

3. **Other migratory nongame birds:** Auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, and terns.

[As amended July 9, 1920.]

Regulation 2.—Definitions of Terms

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

Secretary.—The Secretary of Agriculture of the United States.

Person.—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

Take.—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Open season.—The time during which migratory birds may be taken.

Transport.—Shipping, transporting, carrying, exporting, receiving, or delivering for shipment, transportation, carriage, or export.

[As amended Aug. 20, 1934; and July 30, 1935.]

¹ Full text of the Migratory Bird Treaty and the Migratory Bird Treaty Act and other Federal laws concerning wildlife conservation may be obtained by consulting Service and Regulatory Announcements, B. S. 82. Persons desiring information regarding further restrictions on seasons, bag and possession limits, and other hunting provisions should communicate with appropriate State officials, whose addresses are given on page 9.

Regulation 3.—Means by Which Migratory Game Birds May Be Taken

The migratory game birds for which open seasons are specified in regulation 4 hereof may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading; they may be taken during the open season from the land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), powerboat, sailboat, any boat under sail, and any craft or device of any kind towed by powerboat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind.

Waterfowl (except for propagation, scientific, or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves are not permitted to be taken by means, aid, or use, directly or indirectly, of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed; and in the taking of waterfowl, the use, directly or indirectly, of live duck or goose decoys is not permitted; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a powerboat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up of migratory waterfowl.

[As amended July 28, 1919; Mar. 3 and May 17, 1921; Apr. 4, 1927; Mar. 2, 1928; Apr. 23, 1929; Mar. 17, 1931; July 20, 1932; Sept. 11, 1933; Aug. 20, 1934; Feb. 2, July 30, and Aug. 27, 1935; and Aug. 12, 1936.]

Regulation 4.—Open Seasons on and Possession of Certain Migratory Game Birds

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., standard time, and rails and gallinules (other than coot), Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons from 7 a. m., standard time, to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), **Wilson's snipe or jacksnipe, and coot.**—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

In Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, South Dakota, Vermont, and Wisconsin, October 10 to November 8.

In Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Massachusetts, Missouri, Nebraska, Nevada, New Mexico New York

(including Long Island), Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, November 1 to November 30.

In Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, November 26 to December 25.

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the one hundred and forty-first meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the one hundred and forty-first meridian to Dixons Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak Pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules (*except coot*).—The open season for rails and gallinules (*except coot*) shall be from September 1 to November 30, both dates inclusive, except as follows:

Washington and Massachusetts, October 1 to November 30.

New York, including Long Island, November 1 to November 30.

Wisconsin, October 10 to November 8.

Alabama, November 20 to January 31.

Connecticut, September 15 to November 30.

Louisiana, November 1 to January 31.

District of Columbia, no open season.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Wisconsin, October 17 to October 31.

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany, and north of the tracks of the main line of the Boston and Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Michigan, and North Dakota, October 1 to October 31.

That portion of New York lying south of the line above described, including Long Island, and in Delaware, New Jersey, Pennsylvania, Ohio, Indiana, and Iowa, October 15 to November 14.

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20.

Missouri, November 10 to December 10.

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15.

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nevada, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15.

Delaware, September 15 to November 30.

Maryland, September 1 to September 30 and November 15 to December 31.

Florida (except in Dade, Broward, and Monroe Counties), and Louisiana, November 20 to January 31.

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15.

North Carolina, September 1 to September 30 and December 20 to January 31.

Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; Mississippi, in the counties of Washington, Humphreys, Holmes, Attala, Winston, Noxubee, and all counties north thereof; and South Carolina, in the counties of Edgefield, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 1 to September 30 and December 20 to January 31.

Alabama, Georgia, Mississippi, and South Carolina, in the counties other than those aforesaid, November 20 to January 31.

That portion of Texas north or northerly of a line beginning at the Rio Grande west of Del Rio, thence to Del Rio, thence east along Southern Pacific Railway to San Antonio, thence along International-Great Northern Railway to Austin, thence east along Houston and Texas Central Railway to Brazos River, thence north up Brazos River to where Beaumont branch of Gulf, Colorado & Santa Fe Railway crosses said river, thence east along Gulf, Colorado & Santa Fe

Railway to intersection with Houston East & West Texas Railway at Cleveland, thence along Houston East & West Texas Railway to the Louisiana border except the counties of Bastrop, Brazos, Burleson, Fayette, Grimes, Lee, Limestone, Milam, Montgomery, Robertson, San Jacinto, Smith, Washington, and Wood, September 1 to October 31.

That portion of Texas south of the above described boundaries and the counties hereinabove excepted, December 1 to January 16.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California, December 1 to December 15.

Arizona and Oregon, October 16 to October 30.

New Mexico, October 1 to October 15.

Washington, September 16 to September 30.

[As amended Oct. 25, 1918; July 28, 1919; July 9, 1920; May 17, 1921; Mar. 8, 1922; June 11, 1923; Apr. 11 and July 2, 1924; June 22, 1925; Mar. 8, Apr. 22, and June 18, 1926; Apr. 4 and 21 and Sept. 6, 1927; Mar. 2, July 13, and Aug. 16, 1928; Apr. 23 and Dec. 31, 1929; May 23 and Aug. 25, 1930; Mar. 17, Aug. 25, and Sept. 12, 1931; July 20, 1932; Sept. 11, 1933; Aug. 20, 1934; July 30, Aug. 27, and Sept. 26, 1935; and Aug. 12, 1936.]

Regulation 5.—Daily Bag and Possession Limits on Certain Migratory Game Birds

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Ducks (*except wood duck, canvasback duck, redhead duck, ruddy duck, and bufflehead duck*).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Geese and brant (*except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose*).—Four in the aggregate of all kinds, and any person at any one time may possess not more than four geese and brant in the aggregate of all kinds.

Rails and gallinules (*except sora and coot*).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Sora.—Twenty-five, and any person at any one time may possess not more than 25.

Coot.—Fifteen, and any person at any one time may possess not more than 15.

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Woodcock.—Four, and any person at any one time may possess not more than four.

Mourning doves.—Twenty, and any person at any one time may possess not more than 20.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons taken in Canada or other foreign country and brought into the United States, as to those taken in the United States.

[As amended Oct. 25, 1918; July 28, 1919; Mar. 3, 1921; Mar. 8, 1926; Apr. 4, 1927; Dec. 31, 1929; Mar. 17, 1931; July 20, 1932; Sept. 11, 1933; Aug. 20, 1934; July 30, 1935; and Aug. 12, 1936.]

Regulation 6.—Shipment, Transportation, and Possession of Certain Migratory Game Birds

The migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, and parts thereof, legally taken may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada may be imported into the United States during the open season in the Province where taken, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be

transported by one person in 1 calendar week out of the State where taken or from Canada into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where killed, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State, Territory, or District to or through another State, Territory, or District or to or through a Province of the Dominion of Canada contrary to the laws of the State, Territory, or District in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State, Territory, or District from another State, Territory, or District, or Province of the Dominion of Canada, or from any State, Territory, or District into any Province of the Dominion of Canada, at a time when any such State, Territory, or District, or Province of the Dominion of Canada, into which they are transported prohibits the possession or transportation thereof.

Migratory game birds imported from countries other than Canada.—Migratory game birds of a species for which an open season is prescribed by regulation 4, lawfully taken in and exported from a foreign country (other than Canada, for which provision is hereinbefore made), may be transported to and possessed in any State of the United States during the open season prescribed by regulation 4 in such State for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5, if transportation and possession of such birds is not prohibited by the laws of such State or District and if imported and transported in packages marked as hereinbefore provided.

[As amended Oct. 25, 1918; July 9, 1920; Mar. 8, 1926; Apr. 4, 1927; Mar. 17, 1931; July 20, 1932; Sept. 11, 1933; July 30, 1935; and Aug. 12, 1936.]

Regulation 7.—Taking of Certain Migratory Nongame Birds by Eskimos and Indians in Alaska

In Alaska Eskimos and Indians may take for the use of themselves and their immediate families, in any manner and at any time, and possess and transport auks, auklets, guillemots, murre, and puffins and their eggs for food and their skins for clothing.

Regulation 8.—Permits to Propagate and Sell Migratory Waterfowl

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, buy, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, buy, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl

in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or bought unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of application for a permit to possess, sell, purchase, or transport such waterfowl, and on the 1st day of each September next following, and for each 12-month period thereafter during the life of the permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which such waterfowl and eggs were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. A report correctly setting forth this information for the preceding 12-month period shall be filed annually with the Secretary on or before September 1.

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act.

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now lawfully possessed or hereafter lawfully acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese lawfully killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, bought, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for such similar commercial purposes, but not for millinery or ornamental purposes.

8. Every package in which migratory waterfowl or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of the consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and the purpose for which the waterfowl or eggs are being transported. Every package in which

migratory waterfowl or their eggs are shipped wholly within a State or Territory for propagating purposes shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

[As amended Oct. 25, 1918; July 9, 1920; Apr. 10 and June 11, 1923; Sept. 11, 1933; and Aug. 12, 1936.]

Regulation 9.—Permits to Collect Migratory Birds for Scientific Purposes

A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder, and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any means or at any time of the day not permitted by regulations 3 and 4 of these regulations.

Application for a permit shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which specimens are proposed to be taken, the purpose for which they are intended, information sufficient to show that specimens permitted to be taken will be devoted to scientific purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes; or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no specimens shall be taken without a permit or purchased from or exchanged with a person not authorized by a permit to sell or exchange them. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird delivered to him for mounting or like preparation by any person who has lawfully taken or lawfully possesses such bird, and may transport such specimen in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each specimen of migratory bird to him, together with the name of each species, the date of delivery, the disposition of each specimen, and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom issued, on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act. A person holding a permit under this regulation shall report annually to the Secretary, on or before the 10th day of January, the number of birds or nests or eggs of each species taken, bought, sold, received, possessed, mounted, exchanged, or transported during the pre-

ceding 12 months, and failure to make such report will be cause for revocation of the permit.

Every package in which migratory birds or their nests or eggs are transported by any means whatever for scientific purposes from one State, Territory, or the District of Columbia, to, into, or through another State, Territory, or the District of Columbia, or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of the consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes. Every package in which migratory birds or their nests or eggs are shipped wholly within a State or Territory, for scientific purposes, shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

[As amended Oct. 25, 1918; Mar. 3, 1921; June 11, 1923; Apr. 23, 1929; Mar. 17, 1931; July 20, 1932; Sept. 11, 1933; Aug. 20, 1934; July 30, 1935; and Aug. 12, 1936.]

Regulation 10.—Permits to Kill Migratory Birds Injurious to Property

Community injury.—When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times and by what means. Upon his determination an appropriate order will be made.

Specific injury.—Upon receipt by the Secretary of information from the owner, tenant, or share cropper that migratory birds are injuring his crops or other property on the land on which he resides, together with a statement of the location of the land, the nature of the crops or property being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made by the Bureau of Biological Survey of the Department of Agriculture, and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or so many thereof as may be necessary, a permit to kill the birds will be issued by the Chief of said Bureau, in which permit will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case: *Provided, however,* That in every permit issued as aforesaid it shall be specified that no such birds shall be shot at or killed at any time or in any manner not authorized by the laws of the State in which such permit is effective; and as to migratory waterfowl, that they shall not be shot at or killed (1) from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial, movable or stationary, or on land or water; (2) by means of any gun larger than no. 10 gage, or of any gun to which a silencer has been attached or otherwise affixed; and (3) by the use of decoys of any description, or of traps or nets of any kind.

[As amended Aug. 20, 1934.]

Regulation 11.—State Laws for the Protection of Migratory Birds

Nothing in these regulations shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, their nests, and eggs contrary to the laws and regulations of any State or Territory or District made for the purpose of giving further protection to migratory birds, their nests, and eggs when such laws and regulations are not inconsistent with the convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, or the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by these regulations.

[Added by proclamation of Oct. 25, 1918, as amended July 9, 1920.]

OFFICIALS FROM WHOM COPIES OF GAME LAWS MAY BE OBTAINED

- Federal laws:** Secretary of Agriculture, Washington, D. C.
- Alabama:** Department of Game, Fish, and Seafoods, Montgomery.
- Alaska:** Executive Officer, Alaska Game Commission, Juneau; or Secretary of Agriculture, Washington, D. C.
- Arizona:** State Game Warden, Phoenix.
- Arkansas:** Secretary, Game and Fish Commission, Little Rock.
- California:** Executive Officer, Fish and Game Commission, 450 McAllister Street, San Francisco.
- Colorado:** State Game and Fish Commissioner, Denver.
- Connecticut:** Superintendent of Fisheries and Game, Hartford.
- Delaware:** Chief Game and Fish Warden, Dover.
- District of Columbia:** Superintendent Metropolitan Police, Washington.
- Florida:** Commission of Game and Fresh Water Fish, Tallahassee.
- Georgia:** Game and Fish Commissioner, Atlanta.
- Hawaii:** Fish and Game Division, Board of Agriculture and Forestry, Honolulu.
- Idaho:** Fish and Game Warden, Boise.
- Illinois:** Director, Department of Conservation, Springfield.
- Indiana:** Director of Game and Fish, Conservation Department, State House, Indianapolis.
- Iowa:** Director, State Conservation Commission, Des Moines.
- Kansas:** State Fish and Game Warden, Pratt.
- Kentucky:** Game and Fish Commission, Frankfort.
- Louisiana:** Commissioner of Conservation, Court Building, New Orleans.
- Maine:** Commissioner of Inland Fisheries and Game, State House, Augusta.
- Maryland:** State Game Warden, 512 Munsey Building, Baltimore.
- Massachusetts:** Director, Division of Fisheries and Game, 20 Somerset Street, Boston.
- Michigan:** Director, Commission of Conservation, Lansing.
- Minnesota:** Commissioner, Department of Conservation, St. Paul.
- Mississippi:** Director of Conservation, State Game and Fish Commission, Jackson.
- Missouri:** Game and Fish Commissioner, Jefferson City.
- Montana:** State Fish and Game Warden, Helena.
- Nebraska:** State Game Warden, Lincoln.
- Nevada:** Secretary of State Fish and Game Commission, Reno.
- New Hampshire:** Fish and Game Commission, Concord.
- New Jersey:** Secretary of Board of Fish and Game Commissioners, Trenton.
- New Mexico:** State Game and Fish Warden, Santa Fe.
- New York:** Director of Fisheries and Game, Conservation Department, Albany.
- North Carolina:** Commissioner of Game and Inland Fisheries, Department of Conservation and Development, Raleigh.
- North Dakota:** Game and Fish Commissioner, Bismarck.
- Ohio:** Commissioner of Conservation, Columbus.
- Oklahoma:** State Fish and Game Warden, Oklahoma City.
- Oregon:** State Game Commissioner, 616 Oregon Building, Portland.
- Pennsylvania:** Executive Secretary, Board of Game Commissioners, Harrisburg.
- Rhode Island:** Chief, Division of Fish and Game, Department of Agriculture and Conservation, Providence.
- South Carolina:** Chief Game Warden, Columbia.
- South Dakota:** Director, Division of Game and Fish, Department of Agriculture, Pierre.
- Tennessee:** Director, Board of Conservation for Game, Fish, and Wildlife, Nashville.
- Texas:** Executive Officer, Game, Fish, and Oyster Commission, Austin.
- Utah:** Fish and Game Commission, Salt Lake City.
- Vermont:** Director, Fish and Game Service, Montpelier.
- Virginia:** Executive Secretary, Commission of Game and Inland Fisheries, Richmond.
- Washington:** Director of Game, 401-412 Lloyd Building, Seattle.
- West Virginia:** Director of Conservation, Charleston.
- Wisconsin:** Conservation Director, Madison.
- Wyoming:** State Game and Fish Commission, Cheyenne.
- Canada:** Commissioner, National Parks of Canada, Ottawa.
- Alberta:** Game Commissioner, Edmonton.
- British Columbia:** Game Commission, 411 Dunsmuir Street, Vancouver.
- Manitoba:** Director of Game and Fisheries, Winnipeg.
- New Brunswick:** Chief Game Warden, Fredericton.
- Northwest Territories:** Director of Lands, Northwest Territories and Yukon Branch, Department of the Interior, Ottawa, Ontario.
- Nova Scotia:** Department of Lands and Forests, Halifax.
- Ontario:** Department of Game and Fisheries, Toronto.
- Prince Edward Island:** Game Inspector, Provincial Treasury Department, Charlottetown.
- Quebec:** General Superintendent of Fisheries and Game, Quebec.
- Saskatchewan:** Game Commissioner, Department of Natural Resources, Regina.
- Yukon:** Territorial Secretary, Dawson.
- Newfoundland:** Clerk, Game and Inland Fisheries, St. Johns.
- Mexico:** Jefe, Departamento Forestal y de Caza y Pesca, Calle de Edison 145, City of Mexico, D. F.

